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SEP - 2 2005

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

05-626(JJF)

Statement Of Facts

I am a sentenced inmate here at H.R.T.C.I. I came in on May 10th, 2004. The same day M.C.C. police took me to Christiana hospital where I was giving pain medication, Percosets 10' and placed back on crutches. Upon arriving at this prison I was changed out from street cloths, and my orthopedic shoes, foot brace were taken until I got situated in the prison infirmary and was told by the medical staff I would receive my medication, brace and shoes later. After complaining constantly over a period of days, two weeks, I finally saw one nurse or doctor, I only got tylenol and my foot brace and shoes disappeared! I went through unbelievable pain trying anything they would give me, finally again I saw a doctor who in June 2004 ordered for me to see a foot doctor and 25 mg elivib to increase to 50, then to 75 and finally 100 mg. Constantly in pain, not being able to sleep but an hour at a time and growing more frustrated and depressed by the day I still continue to seek help for me. Siptec Pinched Nerves from July 19th of 1999 and are forever perminately I saw a couple more doctors and a head nurse (See Records)

and was told they consulted with the foot doctor to whom I never met and call me down to ask what my shoe size was. (Note: placed in infirmary for 56 days) I gave my shoe size in June of 2004, Size 9 and still never received shoes!

Over the course of time and constant by in pain and suffering I complained to no end and throughout the months of this and contemplating ~~doing~~ trying to stop this pain, (Syatic Pinched Nerve - Staff Infection - Disc removal - hip and pelvis replacement - permanent drop foot, involuntary muscle spasms) I finally got to see yet another (See Medical Records) who ordered me to see the Specialist - Bone & Joint) Dr. Hersley at Christiana Medical Unit at his private practice, he ordered the shoes, foot brace and pain management, that was early December of 2004. I filed medical Grievances which were upheld 4 to 0 in my behalf in January of 2005 (see records - copy enclosed) and a non narcotic drug - Ultram - was supposed to be given to me to find out if it was appropriate and would help my pain and suffering, I never received it. They

continued to give me Elavil and I told the doctors I really didn't think I needed this particular medicine because it only helped me to sleep an hour at a time and keep me out of tune with activities and surroundings but nurses and doctors persisted it was. I finally spoke to two psychiatrist who stated it was sometimes used as a pain medicine but with the damage I have it "was not" appropriate!

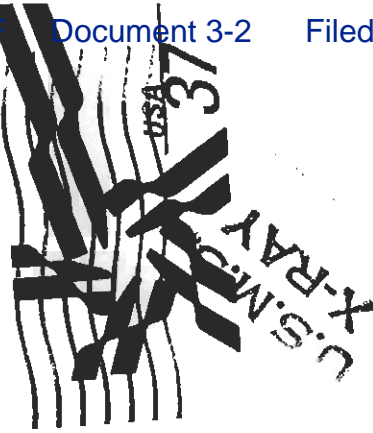
My pain and suffering continued but my depression lifted somewhat because I again believed that I was going to receive help immediately, more weeks passed and still I only received promises but no care. Again I saw a doctor who renewed my spirit and as I questioned about whether it is appropriate for my problems he only stated, 'it's all I am giving' do you want it or not'? I said yes because I was and still am devastated to go without anything at all. My pain consist of nerve damage on my entire right side that constantly burns but increases dramatically at time into throbbing stinging tear spilling pain and make me grab different parts automatically

to try and ease the exc: pulsating pain that shoots from my head to shoulder, arm and fingers, back and hip to ankle and foot & toes with often times lasting 10 to 30 minute's stretches, my muscle spasms always do as they please, I have no control over it and as I try to sleep "if" I sleep it involuntary jerks and bangs against the metal bed, wall and causes more pain and again many time I was guaranteed to receive muscle relaxers and never received! I just want to lay down most of the time, go to sleep and never wake up period.

This is a summary of my recollection that can and will be proved with ordered medical records and investigation please accept my apology for I am finding it strength from my son to find relief and to go on, I'm sure I will finally hold those responsible accountable very soon.

Sincerely Yours
Rick Hamley

cc: sh
fib



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